

California Medical Association



NOTICES AND REPORTS

Council Meeting Minutes

Tentative Draft: Minutes of the 523rd Meeting of the Council, San Francisco, Hyatt House, 30 July 1966.

The meeting was called to order by Chairman Anderson at the Hyatt House, San Francisco, on Saturday, 30 July 1966, at 9:20 a.m.

Roll Call

Present were President MacLaggan, President-Elect Morrison, Speaker Quinn, Vice-Speaker Telford, Secretary Weyrauch and Councilors Isenhour, Eastman, Melone, Todd, Goel, Taw, Bullock, O'Connor, Ham, Rogers, Crum, Boyle, Burnett, Richard S. Wilbur, Miller, Fenlon, Kay, Kaiser, Anderson, Yant, Grunigen and Immediate Past President Teall. Absent for cause were Editor Dwight L. Wilbur and Councilors Maguire, Watts and Longmire.

A quorum present and acting.

Present by invitation were Messrs. J. Collins, Eberlein, Whelan, Blackley, Clark, Klutch, E. Collins, Edwards, Lemos, Goldman, Curley, Hetland, Doctor Miller, Mmes. Griffith and Redfern, and Misses Price and Belser of CMA staff; Mr.

Hassard, legal counsel; component society executives Scheuber of Alameda-Contra Costa, Rideout of Butte-Glenn, Lingerfelt of Fresno, Dalbec of Los Angeles, Colvin of Monterey, Bannister of Orange, Walters of Riverside, Donmyer of San Bernardino, Neick of San Francisco, Wood of San Mateo, Marvin of Santa Barbara, Donovan of Santa Clara and Brown of Sonoma; Messrs. Paton, Saylor, Heller, Babb, Light and Potloff of California Physicians' Service; Messrs. Read, Putnam, Brown and Salisbury of the Public Health League; Mr. Gould of the AMA; Doctor Cullen of UC, San Francisco, School of Medicine; Doctor Tupper of UC at Davis; Fernando Torgerson, Ph.D., and Doctor Rosen, State Health and Welfare Agency; Doctor Breslow, State Department of Public Health; Doctor Lowry, State Department of Mental Hygiene; Doctor Coombs, State Board of Medical Examiners; Mrs. Bacon, Woman's Auxiliary to the CMA; Mrs. Stanley, California Nurses Association; Doctor Smith, California Dental Association; Doctors Herzog, Lindsey and others.

JAMES C. MACLAGGAN, M.D.	President
JOHN G. MORRISON, M.D.	President-Elect
WILLIAM F. QUINN, M.D.	Speaker
JOSEPH W. TELFORD, M.D.	Vice-Speaker
CARL E. ANDERSON, M.D.	Chairman of the Council
ALBERT G. MILLER, M.D.	Vice-Chairman of the Council
HELEN B. WEYRAUCH, M.D.	Secretary
DWIGHT L. WILBUR, M.D.	Editor
EDGAR WAYBURN, M.D.	Acting Editor
HOWARD HASSARD	Executive Director

General Office, 693 Sutter Street, San Francisco 94102 • 776-9400
ED CLANCY Southern California Office
1515 N. Vermont Avenue, Los Angeles 90027 • 663-8071

1. Minutes for Approval

Minutes of the 522nd meeting of the Council, held 18 June 1966, were approved with one addition: Paragraph (e)(i) of section 51309 of CAL-MAP regulations, with proposed changes to include under the program *registered* physical therapists in private practice. The amended paragraph as adopted by the Council reads:

"Except that, on and after 1 July 1966, wherever, within reasonable distance of the beneficiary's residence, or physical location if in a nursing home, there is a hospital, and organized hospital outpatient service, a certified home health agency, a rehabilitation center, or a recognized hearing center, *or at other facility of a person qualified in the state to provide the specific service*, such services as applicable shall be covered when provided by, under arrangements with, such facilities."

2. Membership

(a) On motion duly made and seconded, 169 members whose dues were delinquent and now paid, were reinstated.

(b) On motion duly made and seconded, eleven applicants were voted election to Associate Membership. These were: Ronald R. Cameron, John V. Sessums, Jr., Alameda-Contra Costa County; Barbara E. Kovats, Lester Lehman, Los Angeles County; Eugene Prout, Napa County; James S. Ray, Jr., Orange County; Joseph A. Trackman, Riverside County; Lester E. McDonald, Sacramento County; Dorothee Perloff, San Francisco County; Wm. Norman Sears, Santa Clara County; Edward T. Jewett, Sonoma County.

(c) On motion duly made and seconded, two members were voted election to Retired Membership. These were: Arthur T. Bailey, Riverside County; Herbert Larson, San Joaquin County.

(d) On motion duly made and seconded, a reduction of dues was voted for seven members for reasons of prolonged illness or postgraduate education.

3. Report of the President

President MacLaggan reported on several meetings he had attended since the last session of the Council. Among these was a meeting of the CMA Committee on Emergency Action with the officers of the California Hospital Association. After briefly discussing the meeting, which centered on

the creation of a "Health Manpower Council," President MacLaggan moved that the CMA encourage its representatives to participate with the CHA and other interested parties in the development of a "Health Manpower Council."

ACTION: *Voted to encourage CMA participation in the "Health Manpower Council" along with the California Hospital Association and other interested parties (in line with recommendations submitted by Commissions on Community Health Services and Allied Health Professions and Services). (Committee on Emergency Action to bring together appropriate group to represent CMA in this project, including the Chairmen of the Commissions on Community Health Services and Allied Health Professions).*

President MacLaggan also discussed CMA representation at the meeting of the Organization of State Medical Association Presidents, scheduled for 26 and 27 August in Chicago. Doctor MacLaggan suggested that in addition to paying expenses for CMA's President and President-Elect, CMA should underwrite the attendance of CMA Past-President Teall, who is president of the national organization.

ACTION: *Voted to authorize payment of expenses for Past President Teall's attendance at the Meeting of the Organization of State Medical Society Presidents, 26 to 27 August in Chicago.*

4. Committee on Committees

Chairman Morrison offered the following two nominations on behalf of the Committee on Committees:

Appeals Committee—Thomas Elmendorf of Wil-lows

Advisory Committee to the State Department of Education on Public School Health—Thomas Robinson of Newport Beach

ACTION: *Voted approval of the above nominations.*

Nominations to the Committee on Organizational Review and Planning were deferred until after the September meeting of the Council.

Chairman Morrison reported that the Committee on Committees was currently preparing recommendations to the AMA Board of Trustees regarding appointment of California physicians to AMA committees. It was suggested that a list of California doctors currently serving on AMA committees be circulated to Council members, who were encouraged to send their suggestions for appointments to Doctor Morrison.

5. Finance Committee

Chairman Kay reported that CMA had recently received a request from the California Heart Association that CMA pay additional monies to help cover the budget exceeded for a conference held on 3 and 4 December 1965. It was recommended that the Council deny payment of the additional money over and above the \$800 contribution originally pledged by the CMA.

ACTION: *Voted to deny payment of the additional monies.*

6. Ad Hoc Committee on Workmen's Compensation

Chairman Anderson reported on recent activity relating to payment to physicians under Workmen's Compensation, drawing the attention of the Council to the detailed written report which they had received. The report summarized hearings held on 5 and 7 July by the Division of Industrial Accidents in response to a petition filed by the California Workmen's Compensation Institute and the State Compensation Insurance Fund. The petition requested a new minimum medical fee schedule based upon the format of the 1964 *Relative Value Studies* with a conversion factor of \$5.00. CMA testimony opposed, in principle, a specific dollar conversion factor; however, the petition was supported, with reservations, on the basis that it represented a step in the right direction which would be acceptable for a brief interval until a "usual, customary and reasonable" charge basis could become effective, as requested by pending legislation. Doctor Anderson paid tribute to the work of Doctor Packard Thurber, Jr., and others in making possible the application of the *Relative Value Studies* to payment under the Workmen's Compensation system.

7. Task Force on P.L. 89-97

Chairman Teall reported on the complex problems encountered in the development of criteria for "freestanding" clinics and recommended, on behalf of the Task Force, that the Council direct the Commission on Medical Services, working with the Commission on Community Health Services and county medical societies, to make an in-depth study of "free-standing" clinics, including locations, functions, billing procedures, relations with county societies—and to report back to the Council.

ACTION: *Voted to have the study on "free-standing" clinics undertaken by the Commission on Medical Services, in conjunction with the Commission on Community Health Services and county medical societies.*

With regard to the Task Force's activities in response to House of Delegates Resolution 56-66 (Channeling of Funds), Doctor Teall reported that the matter had been explored at length by the Task Force at its last meeting and that an ad hoc Committee of the Task Force was appointed to attempt to develop a cohesive policy position on the county/teaching hospital situation and to report back to the Task Force, which would, in turn, report to the Council. Committee members are: Doctors Morrison (Chairman), Fenlon, Arthur Howard, Isenhour and Todd. The Task Force recommended that the Council direct the appropriate agency within CMA to conduct an immediate and continuing survey of activities in each of the 104 county/teaching hospitals in California.

ACTION: *Voted to conduct immediate and continuing research on activities in county/teaching hospitals throughout the State.*

The Task Force also asked that the Council reaffirm its previous position that insofar as possible, the Crippled Children Services Program be integrated into the California Medical Assistance Program (Medi-Cal).

ACTION: *Voted to reaffirm above position.*

House of Delegates Resolution 104-66 (Physician's Compensation for Administrative Requirements) was discussed. It was moved to adopt a position previously taken by the Task Force: Opposition to payment of appointed physician members of utilization committees for professional review. The Council was reminded, however, that reimbursement is available under Title 18, Part A of Medicare for hospital administrative personnel and others concerned with clerical and other duties.

ACTION: *Voted to adopt the position opposing payment of appointed physician members of utilization committees for professional review.*

Regarding House of Delegates Resolution 62-66 (Medical Diagnostic Procedures by Optometrists), the Task Force reaffirmed the position that ophthalmic tonometry is a specific medical diagnostic procedure and therefore is the practice of medicine. The Task Force recommended that the bulk of responsibility for this resolution remain with the Commission on Professional Welfare.

In concluding his report, Doctor Teall stated that the Task Force recognizes its status as an "ad hoc" rather than "standing" committee; thus, it is recommending transfer of as many responsibilities as possible to "standing" CMA commissions and committees.

8. Commission on Community Health Services

Chairman Kay announced that during the week of 31 October to 4 November, the American Public Health Association will hold its 94th Annual Meeting in San Francisco. One major topic scheduled for the meeting is the report of the National Commission on Community Health Services.

Doctor Kay drew the attention of the Council to the proposed Joint Fluoridation Project to be undertaken by the California Dental Association, the Southern California Dental Association and the CMA and recommended that the Council approve the project so that application can be made to the United States Public Health Service for a grant. The project was described as being designed to develop professional education in the uses of fluorides as dental preventive measures in all aspects.

ACTION: Voted to approve the proposed joint fluoridation project.

9. Commission on Communications

On behalf of the Commission, Chairman Todd reported on current Communications activities and submitted a series of recommendations for Council approval, with the following results:

ACTION: Voted to authorize preparation of a special "Interim Report" highlighting recent developments of interest to CMA Delegates and Alternates, to be distributed this fall.

ACTION: Voted approval of continuing production and distribution of the publication, "Medical Staff Bulletin," to hospital chiefs of staff in California, changing its frequency from bi-monthly to monthly.

ACTION: Voted to authorize use (within present budget limitations) of communications research in the development of a more sophisticated medical public relations effort (major projects to be approved by both Commission and Council).

ACTION: Voted approval to publicize and urge wider use of the AMA publication, "Today's Health Guide," through regular CMA channels (House of Delegates Resolution 6-66).

ACTION: Voted to approve utilization of regularly distributed CMA publications to reinforce among California physicians the important role they play in controlling venereal disease (House of Delegates Resolution 13-66).

ACTION: Voted to approve CMA's assuming an independent "medical" position on abortions, welcoming support from others, but not compromising CMA's position with those of other groups (House of Delegates Resolution 43-66).

ACTION: Voted to defer the recommendation that CMA utilize public opinion research to determine where emphasis should be placed in efforts to modify the existing State abortion law—until the next meeting of the Council, following the report by the Committee on Legislation.

ACTION: Voted to authorize the Commission to send two of its members to the AMA Public Relations Institute, 25 to 26 August in Chicago.

10. University of California Medical Center, San Francisco

Dean Cullen reported to the Council that Doctor Robert Fishman had been appointed as the new Chairman of the Department of Neurology at UC. Doctor Fishman comes to the UC Medical Center from Presbyterian Hospital in New York City.

11. Stanford University School of Medicine

A representative for Dean Glaser expressed the appreciation of Stanford to the Los Angeles County Medical Association for a scholarship made available to first year medical students.

12. University of California School of Medicine, Davis

Dean Tupper announced to the Council that several new faculty appointments had been made, and that as of 1 September, the following physicians would be on the faculty at Davis:

Loren Carlson, M.D., currently Chairman of Physiology and Biophysics at the University of Kentucky, will be Chief of the Division of Sciences Basic to Medicine, Chairman of Physiology and Assistant Dean of the School of Medicine at Davis.

Robert Bolt, M.D., currently Professor of Internal Medicine at the University of Michigan, will serve as Chief of the Division of Medicine, and Chairman of the Department of Internal Medicine.

Robert Hunter, M.D., currently in the anatomy department at Stanford, will serve as Professor of Anatomy at Davis.

Dean Tupper also introduced to the Council **Earl F. Wolfman, Jr., M.D.**, who is Associate Dean of the Medical School at Davis, as well as Chief of the Division of Surgery and Chairman of the Department of General Surgery.

13. *State Health and Welfare Agency*

Fernando Torgerson, Ph.D., announced to the Council that the informal title of the California Medical Assistance Program had been changed to Medi-Cal. He also mentioned the delay encountered in claims payment due to establishing eligibility files for recipients under Medi-Cal, and said that the Agency hoped to develop a central eligibility bank by the end of August to expedite claims information to the carriers.

14. *State Department of Public Health*

Doctor Lester Breslow, director, reported to the Council that there were 78 home health agencies certified to participate under Title 18 of Medicare. He stated that this covered over 95 per cent of the population of the state, geographically, and that these were now being licensed in accordance with State law. He also said that a training program for home health aides was under way.

Doctor Breslow said that 574 hospitals had been recommended for certification under Title 18, and of these, 567 had signed agreements to participate in the program. The certification of radiological facilities and clinical laboratories is still proceeding.

Doctor Breslow also reported on the progress being made with regard to alcoholism treatment and said that under the McAteer Act, local programs would receive supporting funds.

15. *State Department of Mental Hygiene*

Doctor James Lowry, director, advised that the Legislature had provided the Department with funds for establishing a hospital for research and training with regard to the mentally retarded. He said that it was hoped that this hospital would be integrated with the new campus of the California College of Medicine (U.C.). Doctor Lowry reported that the number of persons in hospitals for the mentally ill had decreased by 3,500 in the past year. He said that the number of admissions was about the same as the previous year, but that the length of stay had been reduced in many instances.

16. *California Physicians' Service*

Doctor Richard S. Wilbur, chairman of the Board of Trustees, introduced the new president of CPS, Mr. Thomas C. Paton, who was previ-

ously president of the Minnesota Blue Shield Plan, and expressed deep appreciation to Mr. R. S. (Rusty) Saylor, who was acting president during the initiation of the Medi-Cal program.

17. *California Nurses' Association*

Mrs. Mary Stanley, president of the Association, and its executive director, Mrs. A. Lionne Conta, discussed at length with the Council the current dispute on compensation of nurses. Members of the Council concurred that one of the more important requirements for the continuing provision of optimal medical care for all Californians is an adequate level of compensation to all members of the health care team, including the nursing profession. After some discussion, the following amended policy statement was adopted:

"1. The primary goal of physicians, nurses and other members of the health care team must continue to be the provision of high quality medical care to all citizens of the state.

"2. Members of this health care team should receive reasonable and adequate compensation for their services. Determinable criteria should include the level of education and training, experience, and the degree of responsibility assumed by the respective personnel.

"3. In the interest of both patients and the public, methods should be sought to achieve these goals in a professional manner, within the framework of the voluntary democratic process.

"4. The California Medical Association will continue to cooperate with the hospitals of California and with professional organizations representing members of the health care team, for the purpose of improving the quality and increasing the availability of health manpower personnel through: (a) Improving recruitment techniques; (b) providing more educational and training opportunities; and (c) fostering adequate compensation of personnel in terms of their education, experience and degree of responsibility in health care."

18. *Woman's Auxiliary to the CMA*

Mrs. Dorothy Bacon, president of the Woman's Auxiliary, briefly commented on current activities of the organization, with particular reference to planning for the Fall Conference and Health Careers projects.

19. *AMA Delegation*

Chairman Burt L. Davis reported on highlights of the 115th Annual Convention of the AMA in Chicago. He stated that of the 21 resolutions presented by the California Delegation, about 50 per cent were approved and an additional 25 per cent were given favorable action. Doctor Davis commented that the Delegation was greatly assisted in its deliberations by having had the opportunity to meet with the Council shortly before the Convention and that the Delegation desires to hold another such joint meeting in October. There was also discussion on the desirability of non-Delegate members of CMA attending the AMA conventions.

20. *Contribution to LACMA Library*

Chairman Anderson reported that CMA had recently received a letter from Mr. John M. Connor, librarian for the Los Angeles County Medical Association, expressing sincere thanks for the continued support of the CMA and specifically, for a check recently received.

21. *Committee on Legislation*

In the absence of Chairman Kilroy, the report was presented by Mr. Ben Read, who commented briefly on the session of the Legislature which ended 7 July—the second longest session in history. He pointed out that the CMA-supported bill dealing with implied consent for blood tests of suspected drunken drivers had been signed into law. A preview of interim committee hearings on a variety of subjects was given. House Speaker Quinn commented on the drug hearings currently being held.

22. *Commission on Hospital Affairs*

Councilor Telford presented, on behalf of the Commission, four recommendations relating to health facilities planning, with the following results:

ACTION: *Voted to develop and establish a set of guidelines for areawide planning of health facilities and services (to include factors of quality of care).*

ACTION: *Voted to develop a brochure to increase understanding of, and interest in, health facilities planning, to be publicized and distributed to CMA members and others.*

ACTION: *Voted to cooperate with the California Hospital Association in organizing physician-hospital*

administrator teams to stimulate and assist local areas with health facilities planning.

ACTION: *Voted that the "Little CHIPS" program should return to its original intent, completing its first phase, then reporting back to the Council before additional activity is undertaken.*

23. *Direct Billing Under Title 19*

The Council reviewed a letter from Doctor George C. Andersen, president of the Los Angeles County Medical Association, requesting that CMA clarify its policy on direct billing to reflect the AMA position, with particular reference to the 1 July 1966, CPS "Physicians' Newsletter." Doctor Richard Wilbur, chairman of the CPS Board of Trustees, explained that the CPS publication was written to be in accordance with the regulations (which, unlike the law, have no provision for direct billing) and was not a policy-making step, but merely an informational piece to clarify the actual situation. He also said that CPS had tried to simplify the billing under the two programs by coming out with a single billing form that could be used for both Title 18 and Title 19 patients, but this was in no way an effort to influence physicians to take assignments for their Title 18 patients. After some discussion, Chairman Anderson was asked to appoint an ad hoc committee to explore various facets of billing methods, payment practices by the carrier, legal interpretations and regulatory rulings as a basis for recommendations to the Council.

ACTION: *Voted to direct the Chairman of the Council to appoint a committee to look into the problem of direct billing under Title 19 to attempt to clarify previous misinformation on the subject and to report back to the Council with recommendations.*

In response to this action, Chairman Anderson named the following Councilors to the ad hoc Committee: Doctors Telford (chairman), Boyle, Burnett, Eastman, Miller and Richard Wilbur.

24. *Malpractice Insurance Programs*

A letter presenting a request from the Los Angeles County Medical Association that the Council give prompt consideration to problems concerning malpractice insurance programs was reviewed. The letter centered on the increasing difficulty many physicians are encountering in acquiring limits of insurance at reasonable rates.

ACTION: *Voted to refer the malpractice insurance problem to the Commission on Professional Welfare, with direction to begin immediate study and to report back to the Council with recommendations.*

25. Staff Report

Mr. Howard Hassard asked Mr. Frank Clark and Mr. William Whelan to introduce the three new CMA staff members: Mr. Edward Collins, news coordinator, working out of the San Francisco CMA office; Mr. John Curley, field services coordinator, based in the Los Angeles CMA office; and Mr. Richard Lemos, who is working out of

the Sacramento CMA office in the field of governmental relations.

26. Adjournment

There being no further business to come before it, the meeting was adjourned at 4:50 p.m.

CARL E. ANDERSON, M.D., *Chairman*
HELEN B. WEYRAUCH, M.D., *Secretary*

In Memoriam

ALBERT, WALTER, Los Angeles. Died 29 August 1966, in Los Angeles, aged 83, of congestive heart failure. Graduate of Hahnemann Medical College of the Pacific, San Francisco, 1907. Licensed in California in 1907. Doctor Albert was a retired member of the Los Angeles County Medical Association and the California Medical Association, and an associate member of the American Medical Association.

BALL, HOWARD A., San Diego. Died 24 August 1966, in El Cajon, aged 61, of heart disease. Graduate of the College of Medical Evangelists, Loma Linda-Los Angeles, 1928. Licensed in California in 1928. Doctor Ball was a member of the San Diego County Medical Society.

BAXTER, FRANK STANLEY, Oakland. Died 22 August 1966, aged 79. Graduate of the University of California School of Medicine, Berkeley-San Francisco, 1914. Licensed in California in 1914. Doctor Baxter was a retired member of the Alameda-Contra Costa Medical Association and the California Medical Association, and an associate member of the American Medical Association.

CHIAPELLA, JOSEPH OCTAVE, Chico. Died 20 April 1966, in Chico, aged 86, of chronic brain syndrome associated with cerebral arteriosclerosis. Graduate of the University of Southern California School of Medicine, Los Angeles, 1905. Licensed in California in 1906. Doctor Chiapella was a member of the Butte-Glenn Medical Society, a life member of the California Medical Association, and a member of the American Medical Association.

CHOLE, ARTHUR STEVEN, Encino. Died 23 August 1966, in Los Angeles, aged 47, of coronary artery disease. Graduate of the University of Wisconsin Medical School, Madison, 1945. Licensed in California in 1946. Doctor Chole was a member of the Los Angeles County Medical Association.

DYKES, H. ROBERT, SR., Santa Monica. Died 23 August 1966, in Taft, aged 76. Graduate of the Medical College of Alabama, Birmingham, 1917. Licensed in California in 1923. Doctor Dykes was a retired member

of the Los Angeles County Medical Association and the California Medical Association, and an associate member of the American Medical Association.

EBERHARDT, GUSTAV, Gonzales. Died 22 June 1966, in Gonzales, aged 64, of heart disease. Graduate of the College of Medical Evangelists, Loma Linda-Los Angeles, 1932. Licensed in California in 1932. Doctor Eberhardt was a member of the Monterey County Medical Society.

HURWITZ, SAMUEL HAYMANN, San Francisco. Died 31 August 1966, in Monterey, aged 80. Graduate of Johns Hopkins University School of Medicine, Baltimore, Maryland, 1912. Licensed in California in 1916. Doctor Hurwitz was a member of the San Francisco Medical Society.

JONES, DWIGHT HAROLD, Bakersfield. Died 7 August 1966, in Bakersfield, aged 48. Graduate of the College of Osteopathic Physicians and Surgeons, Los Angeles, 1944. Licensed in California in 1944. M.D. degree from California College of Medicine, 1962. Doctor Jones was a member of the Kern County Medical Society.

KIBLER, ROBERT SCOTT, San Bernardino. Died 6 July 1966, in San Bernardino, aged 49, of cerebral vascular accident. Graduate of the University of Colorado School of Medicine, Denver, 1941. Licensed in California in 1953. Doctor Kibler was a member of the Los Angeles County Medical Association.

LEE, CHARLES F., JR., Palo Alto. Died 30 July 1966, at Calvin Crest, near Yosemite, aged 43, of heart disease. Graduate of the University of California School of Medicine, Berkeley-San Francisco, 1946. Licensed in California in 1947. Doctor Lee was a member of the Santa Clara County Medical Society.

MARKOLF, HARRY FOSTER, Pasadena. Died 28 August 1966, in Pasadena, aged 85, of ventricular fibrillation. Graduate of Harvard Medical School, Boston, Massachusetts, 1908. Licensed in California in 1910. Doctor Markolf was a member of the Los Angeles County Medical Association.